

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

1. The petitioner is a single man who receives Social Security disability benefits of over \$900 a month. On August 1, 2006 he applied for GA to pay for a prescription for ointment. At the hearing, petitioner claimed that he was seeking payment for Ibuprofen 800 Mg. The Department denied the application because there was no showing that the petitioner was facing any particular medical emergency or that he was unable to pay for the Ibuprofen. Petitioner's eligibility for VHAP-Pharmacy had been closed when he stopped making payments for the premium.

2. At a hearing held on September 1, 2006 the petitioner presented a situation similar to the facts in Fair Hearing No. 19,339.

ORDER

The Department's decision is affirmed.

REASONS

The General Assistance regulations provide that households with income in excess of the Reach Up Financial Assistance (RUFA) maximum can only receive additional financial assistance if they are experiencing a "catastrophic situation". See W.A.M. § 2600 *et seq.* There is no question in this matter the petitioner's income is well in excess of (by more than double) the RUFA payment level for a one-person household. W.A.M. §§ 2244-2249. The GA regulations define catastrophic situations as an *emergency* medical need, a court-ordered or constructive eviction, the death of a spouse or minor child, or a natural disaster. W.A.M. § 2602. As noted above, the petitioner made no showing that he had an emergency, or even urgent, medical need for the prescription on the day he applied for GA or that he was without means to pay for the prescription.

The Department's decision in this matter was in clearly accord with the above regulations; the Board is bound by law to affirm it. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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